



County of Fairfax, Virginia

April 14, 2016

**2016 Planning
Commission**

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Andrew Painter
Walsh, Colucci, Lubeley & Walsh, PC
2200 Clarendon Boulevard, Suite 1300
Arlington, VA 22201

**Re: SEA 2004-MV-001-02 – THE TRUSTEES OF FIRST VIRGINIA
BAPTIST CHURCH
Springfield District**

Dear Mr. Painter:

At its April 13, 2016 meeting, the Planning Commission voted 12-0 to **RECOMMEND APPROVAL** on the above referenced application, subject to development conditions dated March 30, 2016, as attached. A copy of the verbatim transcript is attached.

This letter serves as a record of the Planning Commission's recommendation to the Board of Supervisors and not as the final approval. The application is still subject to final decision by the Board of Supervisors.

This action does not constitute exemption from the various requirements of this county and state. The applicant is responsible for ascertaining if permits are required and obtaining the necessary permits such as Building Permits, Residential Use Permits and Non-Residential Use Permits. Information concerning building permits may be obtained by calling 703-222-0801.

Sincerely,

John W. Cooper, Clerk
Fairfax County Planning Commission

Attachments (a/s)

cc: Pat Herrity, Supervisor, Springfield District
Peter F. Murphy, Planning Commissioner, Springfield District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Casey Gresham, Staff Coordinator, ZED, DPZ
Robert Harrison, ZED, DPZ
April 13, 2016 date file

To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.



PROPOSED DEVELOPMENT CONDITIONS**SEA 2004-MV-001-02****March 30, 2016**

If it is the intent of the Board of Supervisors to approve SEA 2004-MV-001-02 located at 8616 Pohick Road, Tax Map 98-1 ((1)) 21, to amend SEA 2004-MV-001 previously approved for a telecommunications facility to permit continuation of the use at a newly modified site pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These conditions supersede all previous conditions associated with SEA 2004-MV-001-02 (an asterisk identifies those conditions carried forward from SEA 2004-MV-001-02 with minor modifications to update page references and labels).

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.*
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the SEA plat approved with the application, as qualified by these development conditions.*
3. A copy of the Special Exception Amendment conditions and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.*
4. This Special Exception Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception amendment shall be in substantial conformance with the approved Special Exception Amendment / Special Permit Amendment (SEA/SPA) Plat entitled "SPA/SEA Plat, Site Plan, First Virginia Baptist Church" consisting of six sheets, prepared by Apex Solutions, LLC, dated April 2, 2015, as revised through February 3, 2016, and these conditions. Minor modifications to the approved special exception amendment may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.*
5. Unless waived by the Zoning Administrator, a steady red market light shall be installed on the monopole and operated at all times. Said light shall be shielded to prevent the downward transmission of light.*
6. The existing chain link fence shall be maintained around the perimeter of the telecommunications compound as shown on the SEA/SPA Plat.*
7. There shall be no outdoor storage of materials, equipment, or vehicles within the wireless compound for the telecommunications facility.*

8. All existing vegetation on the property is to be maintained in good condition, including the removal and replacement of all dead, dying and diseased trees, as determined by Urban Forest Management (UFM).*
9. Stormwater Management (SWM) and Best Management Practices (BMP) shall be provided in accordance with the requirements of the Public Facilities Manual (PFM) as determined by the Department of Public Works and Environmental Services (DPWES).*
10. No signs shall be permitted on the subject property for the advertisement of the users of the telecommunications facility.*
11. Should the need arise to alter the treepole, the Applicant shall submit engineering and structural data affirming that said alterations conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code.*
12. Any component(s) of the telecommunications facility shall be removed within 120 days after such component(s) are no longer in use.*
13. The maximum height of the telecommunications tower (treepole) shall not exceed 125 feet.*
14. The appearance of the treepole shall be maintained by the Applicant in substantial conformance with the elevations shown on the SEA/SPA Plat as Attachment 1 to these conditions.*

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall take effect upon adoption of a resolution of approval by the Board of Supervisors.

SEA 2004-MV-001-02 – THE TRUSTEES OF FIRST VIRGINIA BAPTIST CHURCH

After Close of the Public Hearing

Vice Chairman de la Fe: Close the public hearing. Mr. Murphy.

Commissioner Murphy: Thank you very much. I would ask Mr. Painter to please come forward and reaffirm the fact that he has read the development conditions, he understands them, and he would abide by them, so help you God.

Andrew Painter, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC: We do.

Commissioner Murphy: Okay, thank you very much. This is basically a housekeeping application to make the Plan consistent with this Special Exception Amendment – with an application filed by the BZA, which was approved. So therefore, Mr. Chairman, I WOULD MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SEA 2004-MV-001-02, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN THE STAFF REPORT.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

Commissioner Murphy: Thank you very much.

Vice Chairman de la Fe: Thank you very much.

Commissioner Murphy: I have one more. I would-

Vice Chairman de la Fe: Oh, I'm sorry.

Commissioner Murphy: Mr. Chairman, I WOULD MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE THE REAFFIRMATION OF THE MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE WESTERN, NORTHERN, AND SOUTHERN PROPERTY LINES IN FAVOR OF THE PLANTINGS SHOWN ON THE SEA PLAT.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Thank you very much.

Commissioner Murphy: Thank you very much.

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(Each motion carried by a vote of 12-0.)

JLC